

1 **BRYAN CAVE LLP**
Howard O. Boltz, Jr. #70212
2 Connor J. Flanigan #229397
120 Broadway, Suite 300
3 Santa Monica, California 90401-2386
Telephone: 310-576-2233
4 Facsimile: 310-576-2200
Email: hoboltz@bryancave.com

5 Attorneys for Defendants
6 Commercial Environmental Systems Group, Inc.
(currently known as CES Group, Inc.) and George Halko
7

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION**

10
11 NORMAN WRIGHT MECHANICAL
EQUIPMENT CORPORATION,

12 Plaintiff,

13 vs.

14 POTOMAC ENVIRONMENTAL
TECHNOLOGIES; WAIS JALALI;
MICHAEL POST; BRIAN MAZUR;
16 COMMERCIAL ENVIRONMENTAL
SYSTEMS GROUP, INC.; GEORGE
17 HALKO; and DOES 1 through 50

18 Defendants.

19 Case No. C06-2065 MJJ (EMC)

20 STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING ON
DEFENDANTS' MOTION TO
COMPEL ARBITRATION AND TO
STAY PROCEEDINGS

21 Date: May 24, 2006
Time: 10:30 a.m.

22 Courtroom: C, 15th Floor
Honorable Edward M. Chen

23 Counsel for Plaintiff NORMAN S. WRIGHT MECHANICAL EQUIPMENT
24 CORPORATION ("Plaintiff") and counsel for Defendants COMMERCIAL
ENVIRONMENTAL SYSTEMS GROUP, INC. (currently known as CES GROUP,
INC.) and GEORGE HALKO ("Defendants") respectfully submit this stipulation
and proposed order for continuance of the hearing on Defendants' Motion To
Compel Arbitration of Claims and Request for Stay of Proceedings, currently
scheduled for May 24, 2006, at 10:30 a.m., to June 7, 2006, at 10:30 a.m., for the
following reasons:

25 1. On April 18, 2006, Defendants filed a motion to compel arbitration of

1 claims and for a stay of this action, including Plaintiff's claims against Defendants,
2 pending arbitration (the "Defendants' Motion");

3 2. Defendants' Motion is currently scheduled for hearing on May 24,
4 2006 at 10:30 a.m. before Magistrate Judge Chen;

5 3. Plaintiff's counsel requested that the hearing and related filing dates be
6 continued to allow additional time for preparations in this matter, and Defendants'
7 counsel has no objection and has agreed to such continuance, and counsel have been
8 informed that June 7, 2006, is available on the Court calendar for the hearing in this
9 matter;

10 4. Accordingly, Plaintiff and Defendants, by and through their respective
11 counsel, have stipulated and agreed that the hearing on Defendants' Motion may be
12 continued from May 24, 2006, to June 7, 2006; that Plaintiff's response to
13 Defendants' Motion may be filed on or before May 17, 2006; and that Defendants'
14 reply may be filed on or before May 24, 2006, and that nothing herein or any
15 continuance shall constitute waiver of any of defenses or procedural or substantive
16 rights of any party, which are expressly reserved.

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 For the foregoing reasons, Plaintiff and Defendants respectfully request that
2 the Court approve the stipulation to continue the hearing on Defendants' Motion
3 from May 24, 2006, to June 7, 2006, at 10:30 a.m. in the above-entitled Court; and
4 that Plaintiff's response to Defendants' Motion may be filed on or before May 17,
5 2006; and that Defendants' reply may be filed on or before May 24, 2006, in this
6 matter.

7 Dated: April 27, 2006

BRYAN CAVE LLP
HOWARD O. BOLTZ, JR.
CONNOR J. FLANIGAN
120 Broadway, Suite 300
Santa Monica, California 90401-2386

11 By: /s/ Howard O. Boltz, Jr.
12 HOWARD O. BOLTZ, JR.
13 Attorneys for Defendants
14 CES GROUP INC. and GEORGE HALKO

15 Dated: April 27, 2006

LEONIDOU & ROSIN, P.C.
JANETTE G. LEONIDOU
5 Thomas Mellon Circle, Suite 205
San Francisco, CA 94134

19 By: /s/ Janette G. Leonidou
20 JANETTE G. LEONIDOU
21 Attorneys for Plaintiff
22 NORMAN S. WRIGHT MECHANICAL
23 EQUIPMENT CORP.

ORDER

BASED ON THE FOREGOING AND GOOD CAUSE APPEARING, IT IS
HEREBY ORDERED THAT:

1. The hearing on Defendants' Motion to Compel Arbitration and Request for Stay of Proceedings is hereby continued from May 24, 2006, to June 7, 2006, at 10:30 a.m. in the above-entitled Court;

7 2. Plaintiff's response to Defendants' Motion may be filed on or before
8 May 17, 2006; and

3. Defendants' reply may be filed on or before May 24, 2006.

Dated: April 28, 2006

A circular seal of the United States District Court, Northern District of California. The outer ring is black with the words "UNITED STATES DISTRICT COURT" at the top and "NORTHERN DISTRICT OF CALIFORNIA" at the bottom. The inner rectangle is white with a red border. At the top of the rectangle, it says "IT IS SO ORDERED". In the center is a blue signature of "Edward M. Chen". At the bottom of the rectangle, it says "Judge Edward M. Chen".